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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IN RE ALEJANDRO CERVANTES,

Debtor,

THOMAS O. GILLIS,

Appellant

v.

TRACY HOPE DAVIS, United States
Trustee, MICHAEL H. MEYER, Chapter
13 Trustee,

Appellees.

No. 1:20-cv-00837-DAD

ORDER CONSOLIDATING CASES

No. 1:20-cv-00822-DAD

No. 1:20-cv-00834-DAD

IN RE JULIE BARRERA MARTINEZ
AND BLANCA ESMERALDA
CHINCHILLA,

Debtors,

THOMAS O. GILLIS,

Appellant

v.

TRACY HOPE DAVIS, United States
Trustee, MICHAEL H. MEYER, Chapter
13 Trustee,

Appellees.

1 IN RE THOMAS O. GILLIS,

2 Debtor,

3 THOMAS O. GILLIS,

4 Appellant

5 v.

6 TRACY HOPE DAVIS, United States
7 Trustee, MICHAEL H. MEYER, Chapter
8 13 Trustee,

9 Appellees.

10
11 On May 4, 2021, appellee Tracy Hope Davis, United States Trustee for Region 17,
12 appellee Michael H. Meyer, Chapter 13 trustee, and appellant Mr. Thomas O. Gillis filed a joint
13 stipulation seeking to consolidate the above-captioned bankruptcy appeal, *In re Alejandro*
14 *Cervantes*, No 1:20-cv-00837-DAD, with the two related bankruptcy appeals also assigned to this
15 court, *In re Julie Barrera Martinez and Blanca Esmeralda Chinchilla*, No. 1:20-cv-00822-DAD,
16 and *In re Thomas O. Gillis*, No. 1:20-cv-00834-DAD. (Doc. No. 15 at 1–2.) The parties also
17 stipulate that a single brief be filed by each party to the appeals and one optional reply brief by
18 the appellant. (*Id.* at 2)

19 Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, “[i]f actions before the
20 court involve a common question of law or fact, the court may: (1) join for hearing or trial any or
21 all matters at issue in the actions; (2) consolidate the actions; or (3) issue any other orders to
22 avoid unnecessary cost or delay.” In exercising its discretion, the court “weighs the saving of
23 time and effort consolidation would produce against any inconvenience, delay, or expense that it
24 would cause.” *Huene v. United States*, 743 F.2d 703, 704 (9th Cir. 1984).

25 Here, the court finds that the above-captioned actions involve the same or similar parties,
26 claims, and questions of fact or law, and that consolidation will avoid unnecessary costs and
27 duplication of proceedings. Thus, good cause exists to consolidate these cases.
28

1 Accordingly,

- 2 1. The above-referenced cases shall be consolidated for all purposes pursuant to Rule
3 42(a);
- 4 2. The Clerk of the Court is directed to file this order in each of the above-referenced
5 cases; and
- 6 3. Going forward, the parties and the Clerk of the Court are directed to file
7 documents under only the lead case number. Future captions should indicate the
8 lead case number followed by the member case numbers as follows:

9 **Lead Case: 1:20-cv-00837-DAD**

10 **Member Cases: 1:20-cv-00822-DAD**

11 **1:20-cv-00834-DAD**

12 IT IS SO ORDERED.

13 Dated: **May 5, 2021**

14 
UNITED STATES DISTRICT JUDGE